

be taken by such deputies; providing for the method of discharge or removal of such deputies, and for the increase or decrease of the number of such deputies; providing for the repeal of all laws in conflict herewith; providing for a saving clause and declaring an emergency."

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 1079, to Committee on Mining, Irrigation and Drainage.

House Concurrent Resolution 166

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 166, Inviting Mr. Robert Ripley to address a joint session of the Legislature.

The resolution was read; and by unanimous consent, it was considered immediately and was adopted.

Conference Committee on Senate Bill 200

Senator Graves called S. B. No. 200 from the President's table for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

Senator Graves moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Graves, Redditt, Lanning, Moffett, and Martin.

Recess

Senator Shivers moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Nelson moved that the Senate recess until 10:00 o'clock a. m. tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—12

Hill	Shivers
Lanning	Small
Martin	Stone
Metcalfe	of Washington
Moffett	Weinert
Moore	Winfield
Roberts	

Nays—15

Aikin	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Spears
Graves	Stone
Hardin	of Galveston
Isbell	Sulak
Lemens	Van Zandt

Absent

Cotten

Absent—Excused

Beck	Kelley
Head	

The motion to recess prevailed; and the Senate, accordingly, at 5:00 o'clock p. m., took recess until 10:00 o'clock a. m. tomorrow.

SEVENTY-SEVENTH DAY

(Continued)

(Tuesday, May 30, 1939)

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

Reports of Standing Committees

Senator Moffett, by unanimous consent, submitted at this time the following report of the Committee on Constitutional Amendments:

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred H. J. R. No. 44, by Petsch,

have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

MOFFETT, Chairman.

Senator Spears, by unanimous consent, submitted at this time the following report of the Committee on Criminal Jurisprudence:

Austin, Texas,
May 30, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 153, A bill to be entitled "An Act empowering the Courts of this State in which any original action was originally tried to suspend the imposition or execution of sentence and to place defendants on probation under certain conditions; specifying conditions of probation which, among others, may be imposed; providing for investigation, by probation officers, of the defendants seeking to come within the provisions of this Act: etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass in lieu of the original H. B. No. 153 and be printed.

SPEARS, Chairman.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 30, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 11, A bill to be entitled "An Act making an appropriation for the "Pease River Flood Control District"; "San Antonio River Canal and Conservancy District of Bexar County, Texas"; "Upper Guadalupe River Authority of Kerr County, Texas";

"Upper Colorado River Authority"; "Central Colorado River Authority"; "Lower Concho River Authority"; "Sulphur River Drainage and Conservancy District"; "San Jacinto River Authority"; "Red Bluff Water Power Control District"; and "Nueces River Authority"; fixing amounts of such appropriations; designating mode and manner of payment of vouchers against such appropriations; prescribing authority and officer to execute such vouchers; limiting the purposes for which the money may be expended; prescribing funds from which money shall be made available; prescribing duties of Comptroller relative to warrants; and declaring an emergency." (With amendments.)

S. B. No. 461, A bill to be entitled "An Act providing that any person of good moral character who, on May 22, 1937, had been engaged in the practice of architecture, in this State for a period of at least six (6) months prior to said date and who failed to obtain a registration certificate as provided for in Section 7 of Chapter 478, Acts of 1937, Forty-fifth Legislature, may have thirty (30) days from the date upon which this Act goes into effect in which to file with the Board of Architectural Examiners the affidavit and pay the fee of Twenty-five (\$25.00) Dollars in order to obtain a certificate authorizing such person to practice Architecture in the State of Texas, as provided in said Act, and further amending said Act; and declaring an emergency."

The House has adopted the Conference Committee Report on Senate Bill No. 33 by a vote of 113 ayes and 15 noes.

H. C. R. No. 170, Instructing the Enrolling Clerk of the House to make certain corrections, Section 1, line 1 of H. B. No. 1113.

S. B. No. 313, A bill to be entitled "An Act providing for taxing the premium receipts of foreign assessment life and casualty companies now admitted to do business in Texas, under Chapter V, Title 78, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 37, Chapter 40, Acts of 1929, First Called Session, Forty-first Legislature, as amended by S. B. No. 106, Chapter 60, Acts of 1929, Second Called Session, Forty-first Legislature, in the event any

such company should hereafter reorganize, amend its charter or otherwise change its plan of operation so that it shall not be subject to the provisions of said Chapter V, Title 78, Revised Civil Statutes of Texas, as amended, and declaring an emergency."

H. B. No. 545, A bill to be entitled "An Act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the use within the State of Texas of liquefied gases and other liquid fuels as defined herein; to prescribe the manner and time of paying such tax and the duties of officials and others respecting such payment and collection; to provide for the licensing of users as defined herein; to fix a time when such tax and interest and penalties thereon become a lien upon the property of persons, firms, associations or corporations, subject to the payment of such tax and to provide for the enforcement of said lien; to provide for certain exemptions and for the disposition of the proceeds of such tax; and to provide penalties for the violation of the provisions herein, and declaring an emergency."

H. B. No. 828, A bill to be entitled "An Act making an appropriation for use and benefit of the Lower Neches Valley Authority, and declaring an emergency."

H. B. No. 644, A bill to be entitled "An Act making an appropriation of Thirty-five Thousand (\$35,000.00) Dollars to defray the State of Texas' proportion of the expenses for an investigation to be conducted by the National Resources Committee through the Water Resources Committee and other Federal Agencies conducted under Acts of Congress for the purpose of making a complete survey of the Rio Grande from Ft. Quitman to its mouth in the Gulf of Mexico, for the purpose of ascertaining the maximum development of said river for flood control, irrigation, drainage and power in the order named, and declaring an emergency."

H. B. No. 1040, A bill to be entitled "An Act making an appropriation of Three Thousand (\$3,000.00) Dollars, or so much thereof as may be necessary to aid and facilitate the work to be performed by the Lower Concho

River Water and Soil Conservation Authority; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said Authority, and declaring an emergency."

H. B. No. 1081, A bill to be entitled "An Act making an appropriation for the Upper Guadalupe River Authority; designating who shall have authority to execute vouchers under the directions and with the consent of Directors of said district; limiting the purposes for which the money may be spent; providing money therein appropriated is intended as a loan and is to be repaid to the State's General Revenue Fund from the first revenue received by said district, and declaring an emergency."

H. B. No. 1109, A bill to be entitled "An Act amending House Bill No. 884 of the Regular Session of the Forty-sixth Legislature relating to the taking of collared peccary or javelina or their hides, and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Concurrent Resolution 170

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 170, Making certain corrections in enrolled copy of H. B. No. 1113.

The resolution was read; and on motion of Senator Spears and by unanimous consent, it was considered immediately and was adopted.

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

H. B. No. 1102, "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under General Law of Texas under Commission form of Government, such validating act to apply only in cities or towns located in a county having a population of not less than

sixteen thousand, five hundred and twenty-five (16,525) and not more than sixteen thousand, nine hundred (16,900), and where such cities or towns in such counties have a population of not less than seven thousand, five hundred and sixty-nine (7,569), and not more than sixteen thousand, five hundred and sixty (16,560), according to the last preceding Federal Census, or any subsequent Federal Census, providing exceptions, and declaring an emergency."

H. B. No. 834, "An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance association and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; to repeal Section 14-A of Chapter 462, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Second Called Session of the Forty-fifth Legislature, and to declare an emergency."

H. B. No. 832, "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto."

H. C. R. No. 164, Instructing the Enrolling Clerk of the House to make certain changes in H. B. No. 995.

H. C. R. No. 168, inviting the Hon. Jesse Jones and Hon. Amon G. Carter to address a joint session of the Legislature at 11:00 a. m., May 29, 1939.

Senate Resolution 88

Senator Van Zandt, by unanimous consent, offered at this time the following resolution:

Whereas, There is visiting in the City of Austin today a group of one hundred and fifty citizens of Whitesboro, Texas, headed by its Mayor, O. O. Suddath, Jr., on a tour of good will and better getting acquainted with Texas, and

Whereas, With said group of good people there is a high school band excelled by none in Texas, led by Carey C. Shell of Gainesville, Texas, and

Whereas, Said group and said band are at the bar of the Senate, now, therefore, be it

Resolved by the Senate, That Mr. Carey C. Shell, his band, and Whitesboro citizens be admitted to the Bar and that Mr. Shell be introduced to the Senate of Texas and that his high school band be requested to entertain the Senate for fifteen minutes.

The resolution was read; and on motion of Senator Van Zandt and by unanimous consent, it was considered immediately and was adopted.

Accordingly, the group of Whitesboro citizens and the members of the band were admitted to the Senate Chamber.

Senator Van Zandt presented the members of the band and their director to the Senate.

The band then rendered a brief program.

House Bill 688 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 688, to allocate a portion of the County and Road District Highway Fund to the several counties, with amendment by Senator Pace pending.

Question—Shall the amendment be adopted?

Senator Aikin, by unanimous consent, offered the following amendment to the bill:

Amend H. B. No. 688, Section 2, by adding the following at the end of said section:

"It is especially provided that as to any county and its included defined districts having a combined principal road indebtedness outstanding as of January 1, 1939, in an amount not exceeding \$150,000.00, wherein an election for road bonds

shall have been carried prior to the date this Act becomes effective, such recently voted bonds shall be eligible to participate under this Act as Class "B" indebtedness to the extent the proceeds of such bonds are actually expended on lateral roads as required under this Act."

The amendment was adopted.

Senator Stone of Galveston, by unanimous consent, offered the following amendment to the bill:

Amend H. B. No. 688 by adding a new section immediately after Subsection (p) of quoted Sec. 7 of Section 3 thereof to be properly numbered and to read as follows:

"All bonds heretofore issued by Navigation Districts of this State, which mature on or after January 1, 1933, and insofar as amounts of same were issued for and the proceeds thereof actually expended in the construction of bridges across any stream or streams or any other waterways upon any highway that constituted and comprised a part of the system of designated State Highways on September 17, 1932, shall hereafter be included within and eligible under the provisions of Chapter 13 of the Acts of the Forty-second Legislature of Texas, passed at its Third Called Session, as amended by the Acts of the Forty-third Legislature of Texas, Regular Session, to the extent that the proceeds of the sale of said bonds shall have been actually expended in the construction of such bridges; and in such cases the outstanding bonds of said Navigation Districts in an amount equal to the amount so expended by such Navigation Districts shall be redeemed under the same conditions as is provided by said Chapter 13, Acts of the Forty-second Legislature of Texas, Third Called Session, as amended by the Acts of the Forty-third Legislature of Texas, Regular Session, for the redemption of County and Road District Bonds.

It is expressly provided that the Board of County and Road District Bond Indebtedness shall not be authorized to give the bonds herein referred to preference over other bonds eligible under said Bond Act; and it is further expressly provided that said Board in determining the amount of bonds eligible for assumption shall take into consideration the amount of the bond money expended for the construction of said bridge and the balance due on

said amount of bonds used in the construction of said bridge at the effective date of this bill; and in no event shall said Board be authorized to assume in excess of the balance due on the bonds for the said bridge construction at the effective date of this bill."

The amendment was adopted.

Senator Stone of Washington, by unanimous consent, offered the following amendment to the bill:

Amend H. B. No. 688, line 14, page 24, by striking out the following words: "and in which county there has been no default by any county depository for a period of three (3) years."

The amendment was adopted.

Senator Spears moved that further consideration of the bill be postponed until 10:00 o'clock a. m. next Friday.

Senator Stone of Washington moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion to adjourn was lost by the following vote:

Yeas—15

Beck	Redditt
Burns	Roberts
Cotten	Shivers
Isbell	Stone
Martin	of Washington
Moffett	Van Zandt
Moore	Weinert
Pace	Winfield

Nays—16

Aikin	Lemens
Brownlee	Metcalf
Collie	Nelson
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Kelley	Sulak
Lanning	

Senator Metcalfe moved the previous question on the motion to postpone, and the motion for the previous question was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—15

Brownlee	Graves
Collie	Hardin

Head	Nelson
Hill	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Metcalf	Sulak

Nays—16

Aikin	Redditt
Beck	Roberts
Burns	Shivers
Cotten	Stone
Isbell	of Washington
Martin	Van Zandt
Moffett	Weinert
Moore	Winfield
Pace	

Question—Shall the motion to postpone prevail?

Adjournment

Senator Moore moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—16

Beck	Redditt
Burns	Roberts
Cotten	Shivers
Head	Stone
Isbell	of Washington
Martin	Van Zandt
Moffett	Weinert
Moore	Winfield
Pace	

Nays—15

Aikin	Lemens
Brownlee	Metcalf
Collie	Nelson
Graves	Small
Hardin	Spears
Hill	Stone
Kelley	of Galveston
Lanning	Sulak

The Senate, accordingly, at 12:05 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Reports of Committees on
Engrossed and Enrolled
Bills

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 477 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 479 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 480 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 478 carefully examined, read and approved and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 194 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 470 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 121 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 29, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 276 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 30, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 313 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 30, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 461 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

SEVENTY-EIGHTH DAY

(Wednesday, May 31, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

A quorum was announced present.

By invitation of the President, the invocation was offered by Hon. John E. Roach, a member of the House of Representatives.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Pace submitted the following report of the Committee on Mining, Irrigation and Drainage:

Austin, Texas,
May 31, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 1079, A bill to be entitled "An Act to aid the San Jacinto River Conservation and Reclamation District embracing the Counties of Montgomery, Walker, San Jacinto, and all that part of Liberty County embraced in the San Jacinto Watershed in carrying out the powers, duties, and functions conferred upon such District by the Legislature; granting and donating to such District, with limitations, for a period of ten (10) years, fifty (50) per cent of all the State ad valorem taxes for General Revenue purposes upon the property and from persons in counties comprising in whole or in part such District; providing for reports to the Comptroller by Tax Assessor-Collectors in the various counties, and also by the Board of Directors of the District and the Treasurer of the District; providing the Act shall in no wise affect any tax donation now in effect in said District; and declaring an emergency."

Have had the same under consideration, and we desire to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Senator Head submitted the following report of the Committee on Interstate Cooperation:

Austin, Texas,
May 31, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Inter-